IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 3236 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE D.H.WAGHELA Sd/-

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

1 to 5 NO

STEEL STRIPS LIMITED THRO' M L GOEL,

Versus

STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 3236 of 2001

MR SAURIN SHAH with MR AD SHAH for Petitioner No. 1-3

MR MA BUKHARI APP for Respondent No. 1

MR RC KAKKAD for Respondent No. 2

CORAM : MR.JUSTICE D.H.WAGHELA

Date of decision: 30/09/2002

ORAL JUDGEMENT

1. Heard learned counsel Mr.Shah and Mr.Kakkad for the parties and learned A.P.P. Mr.Bukhari for the State. The representatives of the contesting parties, i.e. Mr.Sanjay Garg, Executive Director of the petitioner No.1 and Mr.Rajendra N.Vyas, respondent No.2, are personally present in the Court and, upon their instructions and on the basis of the settlement and the memorandum of understanding arrived at between the parties and submitted in the Court (which is taken on record), it was stated that the parties have arrived at an amicable settlement. Therefore, there was a consensus that the private complaint filed by the respondent No.2 alleging commission of the offences by the petitioners and others punishable under section 420 read with section 114 of the Indian Penal Code as also the other civil proceedings were required to be terminated. Learned counsel Mr.Kakkad also stated and clarified, on instructions of the complainant, that the complainant did not propose to pursue the complaint against the other accused who are named in the complaint and who are not present before the Court and also requested that the proceedings against them may also be terminated. It was also agreed that the offences were compoundable and, with the permission of the Court, the composition may be recorded here so as to acquit the accused persons in the original proceeding. Therefore, by consent and at the request of the parties, the complaint filed by the respondent No.2, which was registered as Criminal Case No.182 of 2001 and which is pending before the learned J.M.F.C., Surat, is hereby quashed without entering into the merits or demerits of the original case or the present petition. Rule is made absolute accordingly with no order as to costs.

Sd/-

(D.H.Waghela,J.)

(KMG Thilake)